

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

SHANIKA K. BOYD,

Plaintiff,

v.

EQUIFAX INFORMATION SERVICES, LLC,

EXPERIAN INFORMATION SOLUTIONS, INC.,

TRANS UNION, LLC, COMMONWEALTH OF

VIRGINIA, VIRGINIA DEPARTMENT OF SOCIAL

SERVICES (VDSS), DIVISION OF CHILD SUPPORT

ENFORCEMENT (DCSE),

PROFESSIONAL ACCOUNT MANAGEMENT, LLC,

CREDIT COLLECTION SERVICES, INC.,

RJM ACQUISITIONS, LLC, TRIDENT ASSET

MANAGEMENT, LLC, and CAVALRY PORTFOLIO

SERVICES, LLC,

Defendants.

CASE NO.: 3:12-cv-00830-REP

**DEFENDANT TRANS UNION LLC'S  
ANSWER AND DEFENSES TO PLAINTIFF'S COMPLAINT**

Trans Union LLC ("Trans Union"), one of the Defendants herein, files its Answer and Defenses to Shanika K. Boyd's ("Plaintiff") Complaint ("Complaint"). The paragraph numbers below correspond to the paragraph numbers contained in the Plaintiff's Complaint to the extent possible.

**PRELIMINARY STATEMENT**

Trans Union admits that Plaintiff has asserted claims against Defendants alleging actual, statutory and punitive damages, attorney's fees, and costs pursuant to the Fair Credit Reporting Act 15 U.S.C. § 1681 et seq., ("FCRA"). Trans Union denies that it violated any of the laws relied on by Plaintiff and denies the remainder of the allegations contained in paragraph 1 of the Complaint.

**JURISDICTION**

1. Trans Union admits that jurisdiction is appropriate in Federal Court.
2. Trans Union admits that venue is appropriate in Federal Court.

**PARTIES**

3. Trans Union admits Plaintiff is a “consumer” as defined by 15 U.S.C. § 1681a(c). Trans Union is without information or knowledge sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 3, and therefore, denies the same.

4. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 4, and therefore, denies the same.

5. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 5, and therefore, denies the same.

6. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 6, and therefore, denies the same.

7. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 7, and therefore, denies the same.

8. Trans Union admits that it is a limited liability company that is authorized to do business in the Commonwealth of Virginia. Trans Union further admits that it maintains a registered agent in Richmond, Virginia. To the extent not specifically admitted, Trans Union denies the remaining allegations contained in paragraph 8 of the Complaint.

9. Trans Union admits that it is a "consumer reporting agency" as defined by the Fair Credit Reporting Act, 15 U.S.C. §1681a(f). Trans Union also admits that it assembles consumer credit information for the purpose of furnishing consumer reports to third parties. To the extent

not specifically admitted, Trans Union denies the remaining allegations contained in paragraph 9 of the Complaint.

10. Trans Union admits the allegations contained in paragraph 10 of the Complaint. To the extent not specifically admitted, Trans Union denies the remaining allegations contained in paragraph 10 of the Complaint.

11. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 11, and therefore, denies the same.

12. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 12, and therefore, denies the same.

13. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 13, and therefore, denies the same.

14. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 14, and therefore, denies the same.

15. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 15, and therefore, denies the same.

16. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 16, and therefore, denies the same.

### **FACTS**

17. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 17, and therefore, denies the same.

18. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 18 of the Complaint and, therefore, denies same.

19. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 19 of the Complaint and, therefore, denies same.

20. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 20 of the Complaint and, therefore, denies same.

21. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 21 of the Complaint and, therefore, denies same.

22. Trans Union admits that on November 10, 2012, it received correspondence from Plaintiff dated October 25, 2010, disputing, among others, the reporting of a DCSE Child Support account, and providing a copy of a Temporary Order of Support from the Court noting the section for arrearages had not been filled in, and requesting this account be removed from her credit file. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 22 of the Complaint and, therefore, denies same.

23. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 23 of the Complaint and, therefore, denies same.

24. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 24 of the Complaint and, therefore, denies same.

25. Trans Union denies the allegations contained in paragraph 25 of the Complaint.

26. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 26 of the Complaint and, therefore, denies same.

27. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 27 of the Complaint and, therefore, denies same.

28. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 28 of the Complaint and, therefore, denies same.

29. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 29 of the Complaint and, therefore, denies same.

30. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 30 of the Complaint and, therefore, denies same.

31. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 31 of the Complaint and, therefore, denies same.

32. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 32 of the Complaint and, therefore, denies same.

33. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 33 of the Complaint and, therefore, denies same.

34. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 34 of the Complaint and, therefore, denies same.

35. Trans Union admits that on May14, 2012, it received correspondence from Plaintiff disputing multiple accounts as not belonging to her, and advising that she had been the victim of identity theft. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 35 of the Complaint and, therefore, denies same. .

36. Trans Union denies the allegations contained in paragraph 36 of the Complaint.

37. Trans Union admits that on June 11, 2012, it received correspondence from Plaintiff inquiring into the status of her investigations.

38. Trans Union admits that on or about June 11, 2012, it forwarded investigation results to Plaintiff in response to the dispute received from Plaintiff on May 14, 2012. Trans Union denies the remaining allegations contained in paragraph 38 of the Complaint.

39. Trans Union denies the allegations contained in paragraph 39 of the Complaint.

40. Trans Union denies the allegations contained in paragraph 40 of the Complaint. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 40 of the Complaint and, therefore, denies same.

41. Trans Union denies the allegations contained in paragraph 41 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a

belief as to the truth of the allegations contained in paragraph 41 of the Complaint and, therefore, denies same..

42. Trans Union denies the allegations contained in paragraph 42 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 42 of the Complaint and, therefore, denies same.

43. Trans Union denies the allegations contained in paragraph 43 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 43 of the Complaint and, therefore, denies same.

**COUNT ONE: VIOLATION OF FAIR CREDIT REPORT ACT**  
**15 U.S.C. § 1681b(f)**  
***(RJM, TRIDENT AND CAVALRY)***

44. Trans Union restates and incorporates its responses to paragraphs 1 – 43 above as though fully stated herein.

45. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 45 of the Complaint and, therefore, denies same.

46. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 46 of the Complaint and, therefore, denies same.

47. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 47 of the Complaint and, therefore, denies same.

48. Trans Union denies the relief sought and the allegations contained in paragraph 48 of the Complaint, as they relate to Trans Union. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 48 of the Complaint and, therefore, denies same.

**COUNT TWO: VIOLATION OF FAIR CREDIT REPORT ACT**  
**15 U.S.C. § 1681b**  
**(EQUIFAX, EXPERIAN and TRANS UNION)**

49. Trans Union restates and incorporates its responses to paragraphs 1 – 48.

50. Trans Union denies the allegations contained in paragraph 50 of the Complaint. As to the other Defendants, Trans Union is without knowledge or information sufficient to admit or deny the allegations contained in paragraph 50, and therefore, denies same.

51. Trans Union denies the allegations contained in paragraph 51 of the Complaint. As to the other Defendants, Trans Union is without knowledge or information sufficient to admit or deny the allegations contained in paragraph 51, and therefore, denies same.

52. Trans Union denies the relief sought and allegations contained in paragraph 52 of the Complaint. As to the other Defendants, Trans Union is without knowledge or information sufficient to admit or deny the allegations contained in paragraph 52, and therefore, denies same.

53. Trans Union denies the relief sought and allegations contained in paragraph 53 of the Complaint. As to the other Defendants, Trans Union is without knowledge or information sufficient to admit or deny the allegations contained in paragraph 53 and therefore, denies same.

**COUNT THREE: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681e(a)**  
**(EQUIFAX, EXPERIAN and TRANS UNION)**

54. Trans Union restates and incorporates its responses to paragraphs 1 – 53 above as though fully stated herein.



55. Trans Union denies the allegations contained in paragraph 55 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 55 of the Complaint and, therefore, denies same.

56. Trans Union denies the allegations contained in paragraph 56 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 56 of the Complaint and, therefore, denies same.

57. Trans Union denies the relief sought and the allegations contained in paragraph 57 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 57 of the Complaint and, therefore, denies same.

58. Trans Union denies the relief sought and the allegations contained in paragraph 58 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 58 of the Complaint and, therefore, denies same.

**COUNT FOUR: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681e(b)**  
**(EQUIFAX, EXPERIAN, and TRANS UNION)**

59. Trans Union restates and incorporates its responses to paragraphs 1 – 58 above as though fully stated herein.

60. Trans Union denies the allegations contained in paragraph 60 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a

belief as to the truth of the allegations contained in paragraph 60 of the Complaint and, therefore, denies same.

61. Trans Union denies the allegations contained in paragraph 61 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 61 of the Complaint and, therefore, denies same.

62. Trans Union denies the relief sought and the allegations contained in paragraph 62 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 62 of the Complaint and, therefore, denies same.

63. Trans Union denies the relief sought and the allegations contained in paragraph 63 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 63 of the Complaint and, therefore, denies same.

**COUNT FIVE: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681i(a)(1)**  
**(EQUIFAX, EXPERIAN, and TRANS UNION)**

64. Trans Union restates and incorporates its responses to paragraphs 1 – 63 above as though fully stated herein.

65. Trans Union denies the allegations contained in paragraph 65 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 65 of the Complaint and, therefore, denies same.

66. Trans Union denies the allegations contained in paragraph 66 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 66 of the Complaint and, therefore, denies same.

67. Trans Union denies the relief sought and allegations contained in paragraph 67 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 67 of the Complaint and, therefore, denies same.

68. Trans Union denies the relief sought and the allegations contained in paragraph 68 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 68 of the Complaint and, therefore, denies same.

**COUNT SIX: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681i(a)(2)(A)**  
**(EQUIFAX, EXPERIAN, and TRANS UNION)**

69. Trans Union restates and incorporates its responses to paragraphs 1 – 68 above as though fully stated herein.

70. Trans Union denies the allegations contained in paragraph 70 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 70 of the Complaint and, therefore, denies same.

71. Trans Union denies the allegations contained in paragraph 71 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a

belief as to the truth of the allegations contained in paragraph 71 of the Complaint and, therefore, denies same.

72. Trans Union denies the relief sought and the allegations contained in paragraph 72 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 72 of the Complaint and, therefore, denies same.

73. Trans Union denies the relief sought and the allegations contained in paragraph 73 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 73 of the Complaint and, therefore, denies same.

**COUNT SEVEN: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681i(a)(4)**  
**(EQUIFAX, EXPERIAN, and TRANS UNION)**

74. Trans Union restates and incorporates its responses to paragraphs 1 – 73 above as though fully stated herein.

75. Trans Union denies the allegations contained in paragraph 75 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 75 of the Complaint and, therefore, denies same.

76. Trans Union denies the allegations contained in paragraph 76 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 76 of the Complaint and, therefore, denies same.

77. Trans Union denies the relief sought and the allegations contained in paragraph 77 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 77 of the Complaint and, therefore, denies same.

78. Trans Union denies the relief sought and the allegations contained in paragraph 78 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 78 of the Complaint and, therefore, denies same.

**COUNT EIGHT: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681i(a)(5)(A)**  
**(EQUIFAX, EXPERIAN, and TRANS UNION)**

79. Trans Union restates and incorporates its responses to paragraphs 1 – 78 above as though fully stated herein.

80. Trans Union denies the allegations contained in paragraph 80 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 80 of the Complaint and, therefore, denies same.

81. Trans Union denies the allegations contained in paragraph 81 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 81 of the Complaint and, therefore, denies same.

82. Trans Union denies the relief sought and the allegations contained in paragraph 82 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge

sufficient to form a belief as to the truth of the allegations contained in paragraph 82 of the Complaint and, therefore, denies same.

83. Trans Union denies the relief sought and the allegations contained in paragraph 83 of the Complaint. As to the other Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 83 of the Complaint and, therefore, denies same.

**COUNT NINE: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681s-2(b)(1)(A)**  
***(DCSE, RJM, TRIDENT, PRO ACCOUNT MANAGEMENT, CREDIT COLLECTION)***

84. Trans Union restates and incorporates its responses to paragraphs 1 – 83 above as though fully stated herein.

85. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 85 of the Complaint and, therefore, denies same.

86. Trans Union admits to utilizing the ACDV/E-oscar system to process consumer disputes. To the extent not specifically admitted, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 86 of the Complaint and, therefore, denies same. As to the remaining named Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 86 of the Complaint and, therefore, denies same.

87. Trans Union admits when a consumer submits a dispute, the dispute is logged in and the item disputed and the nature of the dispute are recorded on a ACDV/CDV form, along with the consumer's name, address and social security number, if available, after which the ACDV/CDV is transmitted to the creditor with a request for verification and correction, if necessary. To the extent not specifically admitted, Trans Union denies the remaining allegations

contained in paragraph 87 of the Complaint. As to the remaining named Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 87 of the Complaint and, therefore, denies same.

88. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 88 of the Complaint and, therefore, denies same.

89. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 89 of the Complaint and, therefore, denies same.

90. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 90 of the Complaint and, therefore, denies same.

91. Trans Union admits to following its policies and procedures related to the processing of each of Plaintiff's disputes. To the extent not specifically admitted, Trans Union denies the remaining allegations contained in paragraph 91 of the Complaint. As to the remaining named Defendants, Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 91 of the Complaint and, therefore, denies same.

92. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 92 of the Complaint and, therefore, denies same.

93. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 93 of the Complaint and, therefore, denies same.

94. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 94 of the Complaint and, therefore, denies same.

95. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 95 of the Complaint and, therefore, denies same.

96. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 96 of the Complaint and, therefore, denies same.

97. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 97 of the Complaint and, therefore, denies same.

98. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 98 of the Complaint and, therefore, denies same.

99. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 99 of the Complaint and, therefore, denies same.



100. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 100 of the Complaint and, therefore, denies same.

101. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 101 of the Complaint and, therefore, denies same.

102. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 102 of the Complaint and, therefore, denies same.

103. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 103 of the Complaint and, therefore, denies same.

104. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 104 of the Complaint and, therefore, denies same.

**COUNT TEN: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681s-2(b)(1)(B)**  
***(DCSE, RJM, TRIDENT, PRO ACCOUNT MANAGEMENT, CREDIT COLLECTION)***

105. Trans Union restates and incorporates its responses to paragraphs 1 – 104 above as though fully stated herein.

106. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 106 of the Complaint and, therefore, denies same.

107. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 107 of the Complaint and, therefore, denies same.

108. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 108 of the Complaint and, therefore, denies same.

109. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 109 of the Complaint and, therefore, denies same.

110. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 110 of the Complaint and, therefore, denies same.

111. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 111 of the Complaint and, therefore, denies same.

112. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 112 of the Complaint and, therefore, denies same.

113. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 113 of the Complaint and, therefore, denies same.

114. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 114 of the Complaint and, therefore, denies same.

**COUNT ELEVEN: VIOLATION OF FAIR CREDIT REPORTING ACT**  
**15 U.S.C. § 1681s-2(b)(1)(C) and (D)**  
***(DCSE, PRO ACCOUNT MANAGEMENT, RJM, CREDIT COLLECTION and TRIDENT)***

115. Trans Union restates and incorporates its responses to paragraphs 1 – 114 above as though fully stated herein.

116. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 116 of the Complaint and, therefore, denies same.

117. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 117 of the Complaint and, therefore, denies same.

118. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 118 of the Complaint and, therefore, denies same.

119. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 119 of the Complaint and, therefore, denies same.

120. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 120 of the Complaint and, therefore, denies same.

121. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 121 of the Complaint and, therefore, denies same.

122. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 122 of the Complaint and, therefore, denies same.

123. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 123 of the Complaint and, therefore, denies same.

124. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 124 of the Complaint, and, therefore, denies same.

125. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 125 of the Complaint and, therefore, denies same.

126. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 126 of the Complaint and, therefore, denies same.

127. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 127 of the Complaint and, therefore, denies same.

128. Trans Union is without information or knowledge sufficient to form a belief as to the truth of the allegations contained in paragraph 128 of the Complaint and, therefore, denies same.

Trans Union denies the relief sought in the prayer paragraph of the Complaint.

Trans Union admits that Plaintiff demands a trial by jury.

### **DEFENSES**

129. At all relevant times, Trans Union maintained and followed reasonable procedures to avoid violations of the FCRA and assure maximum possible accuracy of the information concerning Plaintiff in preparing consumer reports related to Plaintiff.

130. Trans Union, in compliance with the FCRA, reasonably and completely reinvestigated and verified, updated, or removed all information disputed by Plaintiff.

131. Trans Union at all times acted in compliance with the FCRA.

132. Trans Union has not published any false, inaccurate or defamatory information to a third-party regarding Plaintiff and has not acted with negligence, malice, actual malice, or willful intent to injure.

133. Plaintiff's claims for exemplary or punitive damages and the FCRA damage model violate the Due Process and Double Jeopardy Clauses of the Fifth Amendment, the Excessive Fines Clause of the Eighth Amendment, and the laws of the Commonwealth of Virginia.

WHEREFORE, PREMISES CONSIDERED, Defendant Trans Union LLC, respectfully requests that this Honorable Court deny the relief requested in Plaintiff's Complaint, dismiss the action in its entirety, grant Trans Union its costs of suit and expenses incurred herein, including reasonable attorneys' fees, and for such other and further relief as the court deems just.

TRANS UNION LLC

/s/ \_\_\_\_\_

Michael R. Ward

Virginia bar number 41133

Attorney for Trans Union LLC

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 17<sup>th</sup> day of December, 2012, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel of record registered to use the CM/ECF system in this action, as follows:

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I further certify that I will cause a copy of the foregoing filing and corresponding NEF by electronic mail on the following non-filing user: None.

/s/ \_\_\_\_\_  
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